

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SERVICE EMPLOYEES
INTERNATIONAL UNION, et al.,

Plaintiffs,

v.

SAL ROSSELLI, et al.,

Defendants.

No. C 09-00404 WHA

**ORDER REGARDING
DEFENDANTS' SUPERSEDEAS
BOND APPLICATIONS**

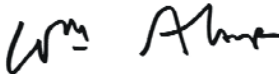
Defendants Sal Rosselli, Phyllis Willett, and the National Union of Healthcare Workers have filed a request to approve their “proposed supersedeas bonds.” The request states that the proposed bonds are in conformance with prior orders that set out the requirements of such bonds in this action. Defendants are confused. As their request notes, prior orders have already specified what is required by the individual defendants for execution of judgment to be stayed pending appeal by way of supersedeas bond. Though defendants’ *request* asserts that their currently filed statements are “proposed” bonds, the *statements* are not phrased as such and it would be unclear whether in signing them the undersigned would be approving a stay of execution of the judgment, which is not yet warranted. Notably, though the applications specify that defendants have deposited half of the judgments against them with the Clerk of Court, as required, they have not in fact done so. Moreover, approving the proposed bonds would be duplicative insofar as prior orders already specify what the defendants must do to obtain a stay of execution. Until they do so, there is no need for any “proposed” bond applications.

1 Lastly, defendant NUHW was not granted leave to post a supersedeas bond in the same
2 manner as the individual defendants. In fact, discovery was granted as to defendant NUHW, and
3 that discovery is ongoing. So it cannot apply in the same manner as the individual defendants for
4 a stay of execution, as it seems to attempt now.

5 For these reasons, defendants' current request is **DENIED** without prejudice to possible
6 approval of a stay of execution once defendants have complied with past orders concerning such a
7 stay.

8
9 **IT IS SO ORDERED.**

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11 Dated: October 6, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE